S.B.Cr.Misc. II Bail App. No. 4177/2007

(Pemaram Vs. State of Rajasthan)

Date of order : 03/09/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. Rakesh Arora for the petitioner.

Mr. V.R.Mehta, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and challan papers.

The first bail application came to be dismissed as it was not pressed by the counsel for the petitioner. However, now after investigation, the police has filed challan. I have carefully gone through the challan papers as also the statements of two witnesses namely Rugaram and Girdhari who stated that the petitioner caught hold the hand of the victim, on which she started crying.

Be that as it may, without commenting on the merit of the case, looking to the facts and circumstances of the case and having considered the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, this second bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Pemaram S/o

Dayaram be released on bail in FIR No. 91/07 P.S. Samadari, district Barmer, provided he executes a personal bond for a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP